

OCT 30 2003

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry H. Jenkins

Serial No. 09/580,411

Filed: 5/30/2000

For: COMPENSATING BLISTER DIE CUTTER APPARATUS

Examiner: C. Dexter

Art Unit: 3724

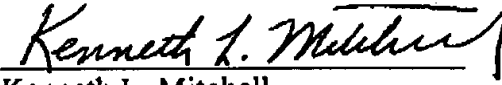
Woodling, Krost and Rust  
9213 Chillicothe Road  
Kirtland, Ohio 44094

Commissioner of Patents  
Alexandria, Virginia 22313-1450

Dear Sir:

**FAX CERTIFICATION**

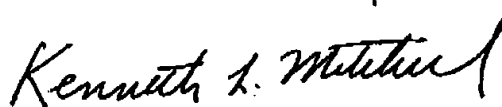
I hereby certify that this 5 page  
Preliminary Amendment was faxed  
to 703-305-3579 this 30th day of  
October 2003.

  
Kenneth L. Mitchell

This is in response to the office action dated September 30, 2003. Please amend  
the above referred to application filed as an RCE, by amending claim 1 to read as follows  
on the next page. Claims 1-3 are in the application.

Respectfully submitted,

Woodling, Krost and Rust

  
Kenneth L. Mitchell  
440-256-4150

In the claims:

1. (Thrice Amended) A compensating blister die cutter apparatus for cutting individual blisters from a sheet containing a plurality of blisters including a base member, at least first and second blister die cutter units supported by said base member, each said blister die cutter unit comprising

a support member containing a cavity to receive a blister on the sheet and also carrying a steel rule die,

a lost motion connection connecting said support member to said base member permitting relative lateral movement of each die cutter unit relative to said base member and relative to each other through a range of 360 degrees upon reception of the blister into the cavities in the support members.

2. (Twice Amended) A compensating blister die cutter apparatus including a base member, at least first and second blister die cutter units supported by said base member, each said blister die cutter unit comprising a bottom board, a backup plate positioned on said bottom board, a top board positioned on said backup plate, a rule slot in said top board, a steel rule in said rule slot and having a cutting edge, a cavity formed in the central portion of said bottom board, backup plate and top board as assembled, threaded members connecting the bottom board, backup plate and top board together to move as a unit, vertical holes extending through the connected bottom board, backup plate and the top board and having a diameter of a given dimension, adjustment members extending through said vertical holes and being threaded into said base member, said adjustment

members having a smaller diameter than said given dimension thus permitting lateral movement of said connected bottom board, backup plate and top board relative to said base member through a range of 360 degrees.

3. (Twice Amended) A compensating blister die cutter apparatus including a base member, at least first and second blister die cutter units supported by said base member, each said blister die cutter unit comprising a top board, a rule slot in said top board, a steel rule in said rule slot and having a cutting edge, a cavity formed in the central portion of said top board, vertical holes extending through said top board and having a diameter of a given dimension, adjustment member extending through said vertical holes and being connected to said base member, and said adjustment members having a smaller diameter than said given dimension permitting movement of said blister die cutter unit relative to said base member through a range of 360 degrees.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,411	05/30/2000	Henry H. Jenkins	7948	8691

7590 09/30/2003

Charles R Rust  
 Woodling Krost & Rust  
 9213 Chillicothe Road  
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EXAMINER

DEXTER, CLARK F

ART UNIT

PAPER NUMBER

3724

DATE MAILED: 09/30/2003

23

Please find below and/or attached an Office communication concerning this application or proceeding.



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

Paper No. **23**

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 9-5-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
3. Amendments to the drawings: \_\_\_\_\_
4. Amendments to the claims:
  - ☒ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: No markings in claim 1 to show changes

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION, and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Equal Instruments Examiner (JLE)

703-305-3579

Received from < > at 10/30/03 1:01:32 PM (Eastern Standard Time)